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Loyola Lawyer

FALL 1984

LOYOLA LAW SCHOOL

VOLUME 1

Fr. James N. Loughran, S.J. New LMU President



Fr. Loughran meets Loyola Law School students Monica Hall, Darnel Parker, and Ami Silverman.

Rev. James N. Loughran, S.J., took office as president of Loyola Marymount University this past July. Father Loughran, 44, replaces Rev. Donald P. Merrifield, S.J., who resigned earlier this year, citing the need for change after 15 years of service.

The new president brings to LMU ex-

tensive and varied experience as an academician and administrator. He received his doctorate in philosophy from Fordham University and continued there as a member of the faculty. In addition to his teaching duties, Father Loughran also served as dean of Fordham College, the 3,000 student undergraduate

college of Fordham University.

According to Rev. Robert V. Caro, S.J., chairman of the Trustee Search Committee and rector of the Loyola Marymount Jesuit community, the new president will bring outstanding qualities to the position.

"The Trustee Search Committee was not only aware of Father Loughran's administrative talent and experience but was especially conscious of his visionary and charismatic qualities: his warm and magnanimous personality; his sense of humor; his gifts in speaking and writing; his ability to articulate a sense of direction and inspire others to follow him," Father Caro said.

In beginning his new position, Father Loughran stated, "The university is healthy and sure of itself after a long period of growth and change; having taken its basic shape for at least the next decade, the university should now re-express and renew its latent, but still lively educational commitments, make a host of recognized and not-yet-recognized improvements, and assume a more prominent role in Southern California and beyond as a quality Catholic University."

An interview with Father Loughran follows on page three of this issue.

NEWS BRIEFS

November 8

ALUMNI DINNER

The Alumni Board of Governors chose the Reverend Donald P. Merrifield, S.J., past president of Loyola Marymount University, as the recipient of the 1984 Alumni Association Distinguished Service Award. Father Merrifield served as president of Loyola Marymount for the past fifteen years and now holds the office of Chancellor of the University.

Father Merrifield will accept the Distinguished Service Award at the annual Alumni Dinner to be held on Thursday, November 8, at the Biltmore Hotel. The dinner this year is co-chaired by Kevin Fiore, '69, Roman Silberfeld, '74, and Brian Wardlaw, '74.

In addition to the award given to Father Merrifield, special recognition will be given to the Class of 1934 which celebrates its golden anniversary.

The committee announced that invitations to the dinner will be mailed to alumni early in September. Tickets for the dinner will be \$45.00 per person. Tables for ten may be reserved for \$450.00. Further information is available from the chairmen of the dinner or from the Alumni Office, 736-1044.

September 24

STATE BAR CONVENTION BREAKFAST

Alumni attending this year's State Bar Convention in Monterey will gather for a breakfast organized by the Law School. The breakfast will be held on Monday, September 24, at 7:30 a.m., in the Hyatt Del Monte Hotel. The breakfast will provide alumni an opportunity to renew acquaintances and meet informally with Dean Frakt and other members of the Law School Faculty and staff. The Hyatt Del Monte is located at One Old Golf Road, Monterey. The charge for the breakfast is \$15.00 per person. Reservations may be made through Mark Weiner, Alumni Relations Office.

BOARD OF GOVERNORS ELECTION RESULTS

Five members were elected to the Alumni Board of Governors during the July election. Three members were reelected while two new governors were added to the board.

Those reelected to the Board of Governors were Kevin Fiore, '69, Richard Mednick, '66, and Robert Myers, '75. The new members are Julia Gold, '62, and William Hart, III, '72.

At the time of printing, the names of those appointed to the Board of Governors were not yet available. The complete composition of the board with profiles of the new members will be found in the next edition of the Lawyer.

Scott Moot Court Winners

The winners of the 1984 Scott Moot Court Honors Competition were announced on April 12 at a reception following the oral rounds of the competition. Ann Malcolm received the award for Best Oralist and Veronica Norris the award for Best Brief.

The Scott Moot Court Competition was instituted at Loyola Law School in 1952. It is named in honor of Joseph Scott, second dean of the law school and one of Los Angeles' most respected civic leaders and legal minds. The six finalists this year argued the GALLO-WAY vs. CBS defamation suit before the Moot Court of Appeal consisting of the Honorable Shirley M. Hufstедler, Presiding Justice, the Honorable Otto M. Kaus, Associate Justice, and the Honorable Clarke E. Stephens, Associate Justice.

In addition to the awards for Best Oralist and Best Brief, the members of the 1984-85 national, state, and specialty teams were named. Ann Malcolm, Harlee Monkarsh, and Jeanette Viau were chosen for the national team; Scott Alderton, Karen Honeyman, and Les Small for the state team; and Richard Kinnan, Cynthia Lopez, and Scott Norton for the specialty team.

The Scott Moot Court Honors Program is a student-administered competition. This year, the program was organized by Phyllis Meadows, Chief Justice, and Karen Friedenberg, Scott MacLachrie, and Tomson Ong, Associate Justices, under the faculty guidance of Professor Lionel Sobel. The 1984-85 program will be administered by Carol Sanborn, Chief Justice, and Kaye Evleth-Burns and Susan Gentile, Associate Justices.

Evening SBA Scholarship Fund Announced

The Evening Division of the Loyola Law School Student Bar Association has endowed the Law School with a scholastic award fund specifically designed to honor evening students. The "Evening SBA Scholastic Student Award" will initially be given to three evening students a year, one out of each of the second, third, and fourth year classes. The honor will be bestowed towards the end of the fall semester and each student will receive at least \$200.00 to be applied against spring tuition or case book purchases. The amount and/or number of awards will grow as the fund grows over time through capital appreciation and future donations.

Criteria for receiving the award are as follows:

- Must be a full-time second, third, or fourth year evening student;
- Must be employed full-time (32 hours or more per week);
- Must be ranked in the top 10% of the class (based on class rankings through the previous summer semester);
- Must not have received a scholarship for the academic year.

Lloyd Greif, Evening SBA president, indicated that the two-fold purpose of the award is to encourage superior academic achievement and to draw attention to the role of evening students, whose hard work outside the classroom and scholastic accomplishments within the classroom set them apart from the

crowd: "We feel that evening students are deserving of special recognition, particularly when you realize that the typical evening student works forty or more hours per week, goes to class four nights a week year around for four years, and has a family or social life to keep together as well. It takes a special type of individual not only to cope in that kind of environment but to excel in it, and we hope that this annual award will go a little way toward honoring that achievement."

The \$4000.00 initial endowment was presented to Dean Arthur Frakt on April 18th and will be administered by the Law School to avoid the potential for student favoritism in awardee selection. The first three awards will be made this fall.

In accepting the scholarship endowment, Dean Frakt stated, "I think this is a great idea and an excellent vehicle for publicizing and benefitting Loyola evening students, who traditionally have been a key distinguishing factor of the law school. This award fund can grow to be a significant source of recognition and financial aid to evening students through future donations by evening student alumni and third parties, as well as additional grants by succeeding Evening SBA's, and I encourage individuals wishing specifically to assist evening students to contribute to this endowment."

FROM THE DEAN

The lifeblood of the law school is in its students and faculty. Administrators are necessary to help create an environment conducive to the highest levels of professional and academic legal achievement, but the major resources of the school should be directed to maintain and improve academic quality, not to create a self-serving bureaucracy.



With this basic principle in mind, we have attempted to mold an efficient, multi-dimensional administrative staff which recognizes the primacy of students and faculty and enjoys meeting the challenge of service.

This year, an unusually large percentage of our administration is undertaking added responsibilities. We also will see some new or recent additions to the staff in important positions. Let me introduce some of them to you.

Bob Cooney who has served Loyola since 1980 as Director of Development

will supervise all business and operations aspects of the law school. As Assistant Dean for Business and Development, he will retain primary responsibility for alumni affairs, fund raising and public relations. At the same time, Bob will become general business manager. Budget planning, financial management and, with the aid of Director of Operations, Steve Johnson, physical plant and technical services will be under his general direction. Public relations aspects of the Institute for Corporate Counsel will also be one of Bob's responsibilities.

Since coming to Loyola in 1980, Bob has coordinated a number of successful fund raising drives which have in large measure been responsible for the development of our campus and the significant increases in endowment for faculty chairs and scholarships.

Mark Weiner will continue to serve as a principal development, alumni affairs and fund raising associate under Bob's leadership. Mark will also have major new responsibilities for the coordination and supervision of auxiliary services.

A new and welcome addition to Bob's department is Fr. Michael R. Moodie, S.J. Mike's formal title is assistant director of Development for Public Relations. In that capacity, he serves as editor of the *Loyola Lawyer* as well as general editor of all non-academic publications including our annual bulletin. Fr. Moodie has an undergraduate degree in philosophy from Gonzaga and a Master's in Divinity from the Jesuit School of Theology in Berkeley. Additionally, he has studied Canon Law at the Pontifical Gregorian University in Rome where he is a doctoral candidate.

Ms. Michiko Yamamoto (Michi) is our new Assistant Dean for Student Affairs. Professor Arnold Siegel who has served so well in that position for the past two years is returning to full time teaching, although he will still retain important academic counselling responsibilities.

Dean Yamamoto who has a degree in Sociology from Cal State, Northridge, was formerly a director of admissions at UCLA. Since arriving at Loyola in 1978 she has served as our Director of Admissions and, most recently, as Executive Director for Admissions and Placement. In these capacities, Michi has developed an outstanding record of achievement and an intimate knowledge of all aspects of student services.

Joining Dean Yamamoto in providing student services are three administrators with major new responsibilities.

Bill McGeary is our new Director of Placement and Career Planning. He joined us in 1983 as the Assistant Placement Director. With a B.A. from George Washington and a Master's in Counselling Psychology at Catholic University, Bill has had significant prior experience in academic guidance and counselling and, along with Carol Ross-Burnett who will serve as associate Placement Director, he has helped create a highly professional and expanding placement and career counselling program.

This program is designed to meet the challenges of a selective and sophisticated job market and a student body whose career objectives are coming more varied both professionally and geographically.

Ms. Ross-Burnett will also have the principle responsibility for the administration of our extensive external clinical program. Since clinical accomplishments are an important avenue to employment opportunity, linking the development of placement to the clinics should provide expanded student opportunities in both programs.

Carol, who is a graduate of U.C. Berkeley, previously served as a counselor at Cal State, Long Beach and the coordinator of the women's re-entry program at San Francisco State University. She will, additionally, help provide administrative support to the Institute for Corporate Counsel. The Institute will have as its new general administrator, Ami Silverman, formerly director of advanced professional programs at the University of Southern California Law School. Ami will divide her time between the I.C.C. and her law studies at Loyola.

Cecilia Morris who is relinquishing her administrative responsibilities for the clinical program and the I.C.C. is undertaking what is, perhaps, the greatest administrative challenge of all.

As our new Director of Admissions, Cecilia who holds a B.A. in English from LMU must not only maintain the high professional standards set by Dean

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LOYOLA LAWYER

Robert A. Cooney

Assistant Dean for Business and Development.

Michael R. Moodie, S.J.

Editor

Mark O. Weiner

Assistant Director of Development,

Annual Giving and Alumni Relations

Chris Park

Staff Copy Writer

COVER: The cover drawing, reprinted with permission of the ABA Journal poses the question, "Can officials search and seize your thoughts?" the theme of Professor Gerald Uelmen's essay, "1991: A Fourth Amendment Odyssey," winner of the ABA Journal's 1984 Ross Essay Award. An excerpt of Professor Uelmen's essay appears in this edition of the *Loyola Lawyer*.

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League of Senior Citizens Honors Loyola Alumnus

Various civic and local organizations honored David S. Smith at an open house hosted by the California League of Senior Citizens. Mr. Smith, a 1942 graduate of Loyola Law School, began his volunteer efforts with the League of Senior Citizens in 1949 and has been actively involved with it since then.

Mr. Smith received five awards recognizing his outstanding community service to senior citizens in the Los Angeles area. Kathleen Sabol, on behalf of the mayor of Beverly Hills, presented Smith with a certificate naming him a Citizen of Honor of the city of Beverly Hills. Both the City of Los Angeles, through the office of Councilman Cunningham, and the County of Los Angeles, through the Board of Supervisors, gave awards thanking Smith for his years of service to the Los Angeles community. Mr. Harold Haskins, representing the Los Angeles County Department of Senior Citizens' Affairs and the Affiliated Committees on Aging, commended Smith's work among the aged and underprivileged of the area. Finally, Lily Lum Chan, Chairwoman of the Chinese Committee on Aging of Los Angeles County and whose husband Stanley was a former professor at

Loyola Marymount, presented Mr. Smith with a memento of LMU.

In accepting the awards, Mr. Smith admitted that the reason for the open house had been kept a complete secret from him. He thanked the representatives and guests and commented briefly on his concern and commitment to the underprivileged and aged in the Los Angeles area. Smith stated, "What I have done over the years, I have done from

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David Smith receives award from Lily Lum Chan, wife of former Loyola professor Stanley Chan.

Faculty Forum

Professor **BILL COSKRAN**, '59, will be a speaker on the topic of Leasing Developments at the September State Bar Convention in Monterey; Professor Coskran has also been elected as an officer of the Real Property Section of the Los Angeles County Bar Association. . . Associate Professor **JAN C. COSTELLO** will speak to the September conference of the National Association of Rights Protection Advocacy in San Francisco on the topic of "Serving California's Chronically Mentally Disabled People through State Court Litigation," and will deliver a presentation entitled, "Paternalism, Autonomy and Community Interest — Choosing and Combining Standards," at the conference on Recent Developments in Mental Health Law, sponsored by the American Society of Law and Medicine to be held in Los Angeles, October 11-12. . . Professor **EDWARD M. GAFFNEY, JR.**, has co-authored *State and Campus: State Regulation of Religiously Affiliated Higher Education*; the book is available from the University of Notre Dame Press. . . Last May, Professor **CHARLOTTE GOLDBERG** served as a representative of the Council for American Private Education in a site visit to Denver's Beth Jacob High School. This visit was in conjunction with the Exemplary Private School Recognition Project sponsored by the Department of Education. The project aimed at finding schools that are models for the American education system. Beth Jacob was among the finalists visited by the Council and was ultimately selected among the sixty private schools chosen as "exemplary." . . Professor **MICHAEL S. JOSEPHSON** spoke at the National Association for Law Placement's Annual Conference in Minneapolis; he is also scheduled to address the NALP division conference to be held in January in Denver. Professor Josephson completed a two-volume work for the A.A.L.S.: *Learning and Evaluation in Law School*; he additionally published an article, "Becoming a Lawyer: An Outsider's View," in the May, 1984 issue of *The Bar Examiner*, a quarterly magazine of the National Conference of Bar Examiners. In July, Professor Josephson conducted a panel discussion in Washington, D.C. on the ethical issues of grading and evaluation. . . Associate Dean **ALLAN IDES** published, "Congress, Constitutional Responsibility and the War Power," in the *Loyola Law Review*. . . Professor **GIDEON KANNER**

lectured at the Southwestern Legal Foundation, Dallas, Texas, on developments in municipal liability in inverse condemnation and under the Civil Rights Act for wrongful land planning. Professor Kanner taped a lecture on inverse condemnation for the Lincoln Institute of Land Policy, Cambridge, Massachusetts, and gave a seminar sponsored by MIT and the Lincoln Institute for Land Policy on "The Zoning Game Revisited." . . On June 29, 1984, the President of the United States designated Professor **SUSAN W. LIEBELER** as Vice Chairman of the United States International Trade Commission for the term expiring June 16, 1986. . . Professor **FRED LOWER** addressed the Real Property Section of the Los Angeles County Bar Association on the topic, "Insurance Aspects of Real Property Transactions: Pitfalls and Pointers." . . Catherine Ashely Maynard is the new daughter of Associate Professor **THERESE MAYNARD**; Professor Maynard's class presented her daughter with a gift of Disney stock. Professor **MAYNARD** has also been appointed to the Board of Governors for the Institute for Corporate Counsel. . . John Theodore Mullenix is the new son of former Loyola Professor **LINDA MULLENIX**. . . On June 7, Assistant Dean **ARNOLD SIEGEL** announced that Loyola Law School would donate its clinic library to Justicia for the purpose of establishing a pro bono center. . . Professor **LON SOBEL** addressed the topic of representing athletes and teams to a practicing law institute seminar in June and to a UCLA extension program in July. This September, Professor Sobel will speak to historians on the issues of copyright, libel, and privacy and will address the Patent, Trademark, and Copyright Section of the State Bar on recent developments in Entertainment Law at the annual meeting of the State Bar. Professor Sobel was also visiting Scholar-in-Residence at the University of Arizona College of Law and recently completed the manuscript for a chapter of a new edition of *Law and Writer*. . . The David Bernard Memorial Foundation has established the David Bernard Memorial Prize to be given to the top scholar in Professor **WILLIAM TUCKER'S** Aviation Law Class; volumes I, II, and III of *Aviation Tort Law* will be awarded annually to that year's top student. . . Professor **DAVID C. TUNICK** has been named

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An Interview with Fr. James N. Loughran, S.J.



This past summer, Father James N. Loughran, S.J., became the new president of Loyola Marymount University. Fr. Loughran, 44, is a former professor of philosophy and dean of Fordham University in New York.

Two weeks after arriving in California, Fr. Loughran was interviewed by the Loyola Lawyer regarding his first impressions of Loyola Marymount and his own views as an educator.

We think that you will agree that the years ahead for Loyola Marymount will be prosperous ones under Fr. Loughran's able leadership.

Loyola Lawyer: Fr. Loughran, prior to becoming president of Loyola Marymount University, you were a philosophy professor and then dean at Fordham. What factors influenced your decision to move to California as LMU president?

Fr. Loughran: It all goes back to a telephone call I received from the Search Committee in February. It was not difficult, in the midst of winter "back East" to accept an invitation to visit. I immediately felt drawn to the university. It wasn't just the weather. The people on both campuses were gracious, sane, dedicated. The university, already excellent and with its special location, obviously has extraordinary potential. Besides the personal challenge, it seemed like a very Jesuit thing to offer myself as a candidate. My superiors agreed.

Loyola Lawyer: Fordham and Loyola Marymount are located in the country's two greatest metropolitan centers. Have you noticed other similarities between the two universities?

Fr. Loughran: One thing that I admired at Fordham was the diversity—especially the ethnic diversity—of the students there. Jesuit universities have traditionally served students from a wide variety of backgrounds, and I am pleased to note that LMU carries on this tradition.

In an age of careerism, Fordham has not lost its commitment to liberal arts education. Any first-rate university—whether it be secular or religiously affiliated—must emphasize the education of the whole person. I find that same emphasis at LMU.

Loyola Lawyer: Fr. Loughran, you mentioned the importance of a liberal education. Could you comment

further on this in relation to the law school which offers a professional course of study?

Fr. Loughran: There is, of course, a difference between what goes on in a professional school—especially one on the graduate level with an older student group—and what occurs with younger undergraduates. With the former group there is a concentration on professional training, while with the latter, the focus is on a broader liberal arts program. But I doubt that liberal arts education need be thought of as entirely separate from professional training or that a professional school should have no liberal arts dimension.

Any good school seeks to develop students' talents, to "free" them. Any good school, whether undergraduate or professional, will encourage students to ask questions and show them how to find answers. Any good school will encourage students to relate what is studied to the larger question of what it is to exist and flourish in a complicated, evolving world.

Loyola Lawyer: What particular concerns do you have for the law school?

Fr. Loughran: As an administrator, I have to make sure that the school is well financed and properly run. Naturally, we all look for legal education that is indeed excellent and recognized as such by the legal community. But beyond that, students should leave here with a sense of service and responsibility for a just society. Their experiences here, the relationships and friendships they develop with the faculty, staff, and other students should encourage them in this ideal.

Loyola Lawyer: What particular influence do you think the Jesuit tradition brings to an institution such as the law school which has such a diverse student body?

Fr. Loughran: One notion at the heart of Jesuit education is that of "personal care"—mutual concern among our students, our faculty, and our staff. In our schools we must always have time for and interest in one another. We are kind and fair to one another, but we also demand the best from one another.

This spirit of "personal care" is something that students should expect from us and that should be communicated to everyone who comes in contact with us. I might add that, in my brief

time here at LMU, I sense that this spirit is very much alive and thriving—both at the Westchester campus and here at the law school.

Loyola Lawyer: Fr. Loughran, as a Jesuit you speak from a long tradition of Catholic education. Does this tradition bring some sort of distinctive character to education?

Fr. Loughran: This question obviously continues the previous one. Secular humanism at its best approaches the education of the individual with this conviction: that he or she is a unique person with talents to be developed for the individual's own satisfaction and for the good of society. Now think what the perspective of Christian faith adds to this. Human beings and the world in which they live are God's unfinished creation; through education we help to complete God's own work. Human beings are called by God to union with Himself and with one another; education assists in the pursuit of that common destiny. But, as the gospels dramatically portray, a battle between good and evil—generosity and selfishness—rages within human hearts and within society; education attempts to lead men and women to an awareness and appreciation of where their true good really lies.

If, in a school, this Christian vision and dream are alive, it means even greater commitment to academic excellence, hard work, mutual respect, and service of others. We always fall short in practice, of course, but, as even colleagues who do not share this faith will agree, it is essential not to lose sight of those ideals.

Loyola Lawyer: There has been a great deal of concern recently about the reputation of the legal profession and legal ethics; how do you feel that the law school can address this issue?



Fr. Loughran meets law school students in the student lounge.

Fr. Loughran: I think we should try to avoid over-simplification or a certain trendiness in our response to this question. While courses in legal ethics should be a required part of any law school curriculum, concern for ethical issues should pervade all our courses. A good professor in any discipline will be sensitive to and not shy away from the ethical dimension. In the study of law, I bet, the constant temptation is to confuse the legal with the moral. Thus there should be ongoing efforts—colloquia, seminars, debates—involving the

whole law school community to make sure that ethical issues are noticed and dealt with. I would hope that the total environment of the law school would encourage an ethical sense among our students. After all, one way we teach justice is by our own practice of justice and by the fairness with which we treat one another.

Loyola Lawyer: Are there any additional qualities which you think the law school should exhibit?

Fr. Loughran: We have already discussed the "personal care" ideal of Jesuit education. Here are some other questions we should constantly ask ourselves: Are the faculty being stimulated to grow as teachers and scholars? What is the quality of their contribution to the legal profession and to the larger society? Do our students, through clinics and internships, come in compassionate contact with the poor, with those on the "fringes" of society? Do the atmosphere and programs of the school nourish the spiritual, cultural, and intellectual lives of both the faculty and students? Does the school as a whole witness to higher values than materialism, consumerism, and the other ills of our times?

Loyola Lawyer: The Los Angeles area had the largest legal community in the West; what contribution do you see Loyola Law School making to the community of Los Angeles?

Fr. Loughran: If, year after year, we send into this area well-trained, compassionate, and dedicated lawyers, what an enormous contribution we make. If, moreover, the school itself is a place where not only lawyers in the area, but other friends as well, can come to find intellectual and cultural stimulation, then our range of effectiveness is even further broadened. Finally, the present services

rendered by our faculty, clinics, and internships are positive examples of the contributions made by this school to the Los Angeles area.

Loyola Lawyer: Do you have any final word for our readers?

Fr. Loughran: Only this: The law school stands out for excellence within the university. I pledge, during my time as president, to do all I can to safeguard and even increase that excellence.

by Monica Hall

63rd Commencement Ceremony



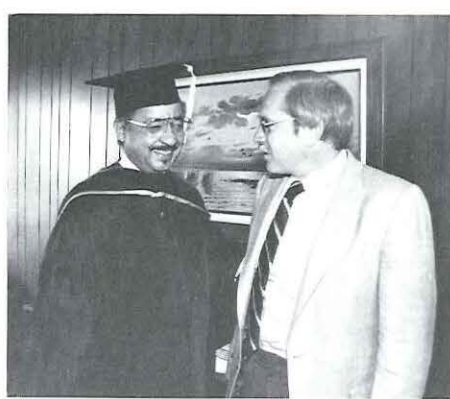
Sunday, May 27, 1984 was a warm and happy occasion for all who attended the Loyola Law School 63rd Commencement exercises held on Regents Terrace at Loyola Marymount University. Although the program was lengthy in order to include the many speakers and special recognitions and awards, this graduation was one of the finest in Loyola's history. It was so well orchestrated that even a pleasant ocean breeze passed gently over the proud and excited graduates and their guests.

After the traditional processional march accompanied by Poms and Circumstance, Dean Frakt welcomed the audience and introduced the two student speakers. Janet S. Moore, a 1984 graduate representing the Evening Division, received a warm cheer from her fellow classmates as she approached the podium. Janet spoke of appreciation, focusing her attention first to the guests, family and friends in the audience. She graciously and eloquently thanked them for their kind assistance and unending support throughout the trying years of law school. Her theme of appreciation



continued as she turned to directly address the class of '84. Emphasizing the significance of this day in each graduate's life, Janet acknowledged that several students would be recognized for the special achievements this afternoon but that everyone present should, indeed, value the importance of their individual success in law school.

Speaking for the Day Division, Kurt Alan Moll immediately established the humorous tone of his discourse as he addressed faculty, classmates, Justice Broussard . . . and members of the Financial Aid committee. Kurt wittingly demonstrated the analogy of Moses' cry before Pharaoh to "let my people go" and the unique slavery which law school imposes upon its captives. Later he rendered his painting of the new graduate-immigrant arriving in the legal land of opportunity where dreams flourish unrestricted. He continued, "All of our dreams will somehow be reflected in a process known as billing the client." Kurt departed only after leaving his fellow classmates with three rules for their consideration: Be honest, be



Professor Gerald Uelmen greets the Honorable Allan E. Broussard.

open, be cool . . . certainly sound advice from a rising attorney.

The program moved to a more serious note following the student speakers. A special award designated by the faculty was announced by Dean Frakt to honor Burton R. Cohn, posthumously. He was an alumnus of the law school, Class of 1977, successful businessman, adjunct professor and friend to all. Burt had died suddenly on New Year's day. His wife, Thelma, was presented with the medallion award, which was established in 1982 by the faculty in memory of Fr. Richard Vachon, associate dean of Loyola for many years, to honor his dedication to the service of others.

The Commencement address was delivered by the Honorable Allan E. Broussard, Associate Justice of the California Supreme Court. Justice Broussard offered enthusiastic congratulations to the Class of 1984 on their special day, indicating how special, indeed, it was as he reflected upon his own graduation 31 years prior. He invited the graduates to look around and recognize the diversity present . . . "Do you realize that less

than two decades ago this would most likely have been an all-white, all-male graduating class? I believe that some progress has been made." Justice Broussard went on to challenge the class, exploring with them not the kind of law which they might choose to practice, but the kind of lawyer which he hoped they would choose to be. He emphasized the responsibility of the legal profession to struggle for social justice and to protect the successes of the 1960's. "You will find that if you but try, you can make a difference." In his closing remarks he appealed to the audience to continue the struggle to maintain the independence of the judiciary . . . "a judiciary free to decide legal issues based upon the application of legal and constitutional principles, rather than upon the judge's perception of prevailing public opinion at the moment. This is the very essence of our democracy." democracy."

Before the awarding of diplomas, Dean Frakt introduced Fr. Merrifield, who had recently announced his retirement from the presidency of LMU, and read a faculty resolution honoring and congratulating him for his 15 years of service.

Finally, the long awaited for moment arrived for each of the 270 day and 87 evening graduates of the class of 1984. Associate Dean Daniel Stewart called each graduate to the platform to receive his or her diploma while Assistant Dean Arnold Siegel announced the winners of academic awards. Applause filled the campus as the final juris doctor degree was conferred and the celebration began in earnest. A reception followed on the Alumni Mall where faculty, friends and graduates exchanged congratulations, best wishes and good-byes.

by Lia Woodall

faculty forum continued

to the Editorial Advisory Board of the *Computer Law Journal* and co-authored the article, "State Taxation of Computer Programs: Tangible or Intangible," which will appear in the upcoming edition of *Taxes*. . . Professor **GERALD UELMEN** presented the keynote speech at the annual luncheon in honor of the California Supreme Court sponsored by the San Francisco Lawyers' Club. Professor Uelmen testified before the Assembly Committee on Criminal Law and Public Safety in favor of legislation reforming the criminal statute of limitations and served as consultant to the California Law Revision Commission in drafting the legislation. Professor Uelmen also testified before the Task Force on Sexual Abuse of Children of Los Angeles County regarding proposals to change evidentiary rules governing testimony by children. In addition, Professor Uelmen gave a workshop on "Creative Defenses in Drug Cases," appeared on a panel on Search and Seizure Decisions of the U.S. Supreme Court at the ABA Convention in Chicago and prepared an historical tour of Chicago entitled, "Clarence Darrow's Chicago," which will be distributed to the delegates of the convention. Professor Uelmen served as a lawyer delegate to the Ninth Circuit Judicial Conference in Seattle. . . Associate Professor **KENNETH VOGEL** served as a discussant at the 20th annual meeting of the Law and Society Association in Boston. . . Professor **MICHAEL WOLFSON** was appointed to the Courts Committee of the Los Angeles Chapter of the Federal Bar Association; the committee evaluates judicial candidates for appointment to the federal bench in Los Angeles.

State Bar Exam Reception

A reception in honor of the 74 Loyola Law School graduates who successfully passed the February Bar Exam was held in the Faculty Lounge on Monday, July 23. Professor William Coskran and Dean Arthur Frakt congratulated the alumni on their achievement and expressed their confidence in the continued success of Loyola Law School alumni. Dean Frakt stated that all members of the top half of the graduating class passed the Bar Exam on the first attempt and reaffirmed Loyola's commitment to excellence in legal education.

Of the Loyola graduates who took the February exam, 56% of the first-time applicants passed while 45% of repeating applicants were successful. This compares favorably to the overall passage rate of 29.5%. From ABA-accredited schools, first time applicants achieved a 46.2% pass rate while repeating applicants had a 32.9% pass rate.

In summary, 1,202 applicants passed the bar exam out of a total of 4,074. The new attorneys will bring the number of practicing lawyers in California to about 83,000.

Law Review Receives Word-Processing Gift



Debbie Snyder, Burn's Scholarship winner, thanks James Slaby, Jr., for the word-processing gift. Also present are Kevin Fiore, '69, Alan Schiff, and Lisa Mahrer.

First Annual Barrister's Ball

On May 24, the 1984 graduating class gave birth to a new tradition at Loyola Law School with the first annual Loyola Barristers' Ball.

More than 200 celebrants gathered at the Riviera Country Club for cocktails, dinner and an evening of dancing. The Ball, sponsored by the Student Bar Association and funded almost entirely through ticket sales, was the brainchild of third-year SBA representative Phyllis Meadows. Joni Greenberg coordinated the logistical details from site selection to the fresh flowers for the women attending the Ball.

Both students and faculty were in attendance to help mark the graduation of the class of '84. Plans for the Barristers' Ball II are already underway.

The word-processing system will enable the law review staff to take advantage of modern computer technology in the preparation and publication of the *Loyola Law Review*. In addition, though the equipment was given specifically to the law review, it will also be made available to other publications of Loyola Law School students when not in use by the Review.

A gift of word-processing equipment was donated to the *Loyola Law Review* by James J. Slaby, Jr., on behalf of the Los Angeles law firm of MacDonald, Halsted and Laybourne. Kevin Fiore, '69, and Alan Schiff accompanied Mr. Slaby in presenting the gift to Debbie Snyder and Lisa Mahrer who accepted the equipment for the law review.

The donation, valued at \$40,000, consists of two Lanier LTE-2D Text Editors and printers plus one ASC II communications device.

1991: A FOURTH AMENDMENT ODYSSEY

PROFESSOR UELMEN WINS ROSS ESSAY AWARD

Professor Gerald Uelmen was the 1984 recipient of the American Bar Association Journal's Ross Essay Award for his contribution, "1991: A Fourth Amendment Odyssey." Professor Uelmen's essay, written as a futuristic hypothetical Supreme Court opinion, asks the question, "Can officials search and seize your thoughts?" The Supreme Court must decide whether a duly licensed physician can attach electrodes to the head of an accused to expose his thoughts or whether such an action would constitute an unreasonable search and seizure. The following is an excerpt of Professor Uelmen's essay which appears in its entirety in the September issue of the ABA Journal. This excerpt is printed with permission of the ABA Journal.

The year is 1991. The long-awaited decision of the United States Supreme Court in the case of John Bankhead v. United States is being announced. Three witnesses heard Bankhead admit knowledge of the details of a terrorist plot which culminated in the murder of the President of the United States and four members of her cabinet. The assassinations took place during opening ceremonies of the Bill of Rights Bicentennial Exposition in Philadelphia on July 4, 1991. When he was summoned before a federal grand jury, however, Bankhead refused to testify, despite a grant of immunity. Prosecutors then applied for a search warrant, to permit a physician to attach electrodes to Bankhead's scalp, and monitor his thoughts for a 24 hour period. The technology for external reproduction of mental images produced by the human brain was recently perfected, and this case presents the first attempt to put it to use as a law enforcement tool.

Chief Justice Verbum announces the opinion of the Court, upholding the validity of the search warrant. Applying the Fourth Amendment warrant clause requirements of probable cause and particularity, he finds that both requisites are met, comparing the warrant to wiretapping and eavesdropping warrants, which allow the seizure of "the physical embodiment of thoughts in a different form." Rejecting the claim that uncommunicated thoughts are entitled to absolute protection against governmental intrusion, he relies on recent precedents establishing a "balancing test." Even if thoughts are given greater Fourth Amendment protection than other forms of evidence, he concludes that the gravity of the threat to national security presented by this case clearly justifies the intrusion. Justice Veritas then presents the following dissenting opinion:

Even in the frightening world of "Thought Police" conjured by George Orwell in 1984:

"With all their cleverness, they had never mastered the secret of finding out what another human being was thinking."

That secret has now been mastered, and this Court is finally presented with the profound question predicted by Justice Brandeis in Olmstead v. United States, 277 U.S. 438, 474 (1928):

"Advances in the psychic and related sciences may bring means of exploring unexpressed beliefs, thoughts and emotions . . . To Lord Camden a far slighter intrusion seemed 'subversive of all the comforts of society.' Can it be that the Constitution affords no protection against such invasions of individual security?"

The majority finds a "relative" answer for that question in the "warrant clause" of the Fourth Amendment: such invasions of personal security must be "balanced" against the need for the security of the state. I believe the "reasonableness clause" of the Fourth Amendment provides an absolute answer: the invasion of personal security which the warrant in this case authorizes is unreasonable per se. If we truly seek the meaning the Fourth Amendment must have in the "brave new world" of twenty-first century America, we will find it in the precedents of the Seventeenth, Eighteenth

and Nineteenth Centuries, not in those of the past twenty-five years.

The history of the common law reveals a consistent struggle to create some impenetrable barriers to governmental intrusion, to protect the privacy even of thought which might be deemed a threat to the security of the state.

In 1683, Algernon Sidney was condemned to death for treason, for daring to write that kings who break their trust may be called to account by the people through their Parliament. The papers in which this writing appeared had been seized from Sidney's bedroom pursuant to warrant. In pleading his own case before Lord Chief Justice Jeffreys, who later achieved infamy for the "Bloody Assizes", Algernon Sidney raised the same objection to that warrant which is raised by the petitioner in this case:

Col. Sidney: Then, my Lord, I think 'tis a Right of Mankind, and 'tis exercised by all studious men, that they write in their own Closets what they please for their Memory, and no man can be answerable for it, unless they publish it.

Lord Chief Justice: Pray don't go away with that right of mankind, that it is lawful for me to write what I will in my own Closet, unless I publish it; I have been told, Curse not the King, not in thy thoughts, not in thy Bed-Chamber, the Birds of the air will carry it. I took it to be the duty of mankind, to observe that.

Fifteen years after Sidney was drawn upon a hurdle to Tyburn Hill to be hanged, drawn, quartered and beheaded, his "treasonous" papers were published as Discourses Concerning Government, a treatise which inspired the American colonists who led a revolution against another English King a century later.

The American colonists also drew inspiration from the prosecution of another English dissenter whose case, eighty years later, ended more happily. On April 22, 1763, a newspaper called The North Briton appeared on the streets of London, labeling the King's Ministers "tools of despotism and corruption," and accusing King George III himself of complicity in dishonest negotiations for the recently concluded Treaty of Paris. A warrant was issued commanding four officers to seize the publishers "together with their papers."

In execution of this warrant, houses were entered, blacksmiths were called in to break open locked bureaus, papers were seized, and nearly fifty suspects were rounded up. Among them was John Wilkes, a rakish member of Parliament who used his prosecution to rally opposition to the government. Wilkes' prosecutor was the Earl of Sandwich, later immortalized for lending his appellation to both Hawaii and Ham on Rye. Sandwich taunted Wilkes, saying he would die "either of the pox or on the gallows." Wilkes responded, "That depends, my lord, whether I embrace your mistress or your principles." After gaining his release on a claim of parliamentary privilege, Wilkes brought suit against the Secretary of State for trespass. The government spared no expense in defending its action, spending the enormous sum of £100,000 on its legal defense. Wilkes won a judgment of £4,000 when the warrant was declared invalid because none of the suspects was named. Wilkes became

London's idol, and its Lord Mayor as well.

Soon after the decision in Wilkes' case, the English courts were presented with the case of another political pamphleteer, John Entick. Entick had been named in the warrant under which his papers were seized, though. Thus, the question of the validity of any warrant purporting to justify the seizure of private papers was directly presented. The answer, provided by Lord Chief Justice Camden, was a resounding restatement of the sentiments expressed by Algernon Sidney a century before.

Wilkes' cause was also championed in Parliament by William Pitt, a boyhood friend of Lord Chief Justice Camden. The Parliamentary debate produced Pitt's eloquent and oft-quoted defense of the constitutional right of privacy:

"The poorest man may, in his cottage, bid defiance to all the forces of the Crown. It may be frail, its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the King of England may not enter; all his force dares not cross the threshold of the ruined tenement."

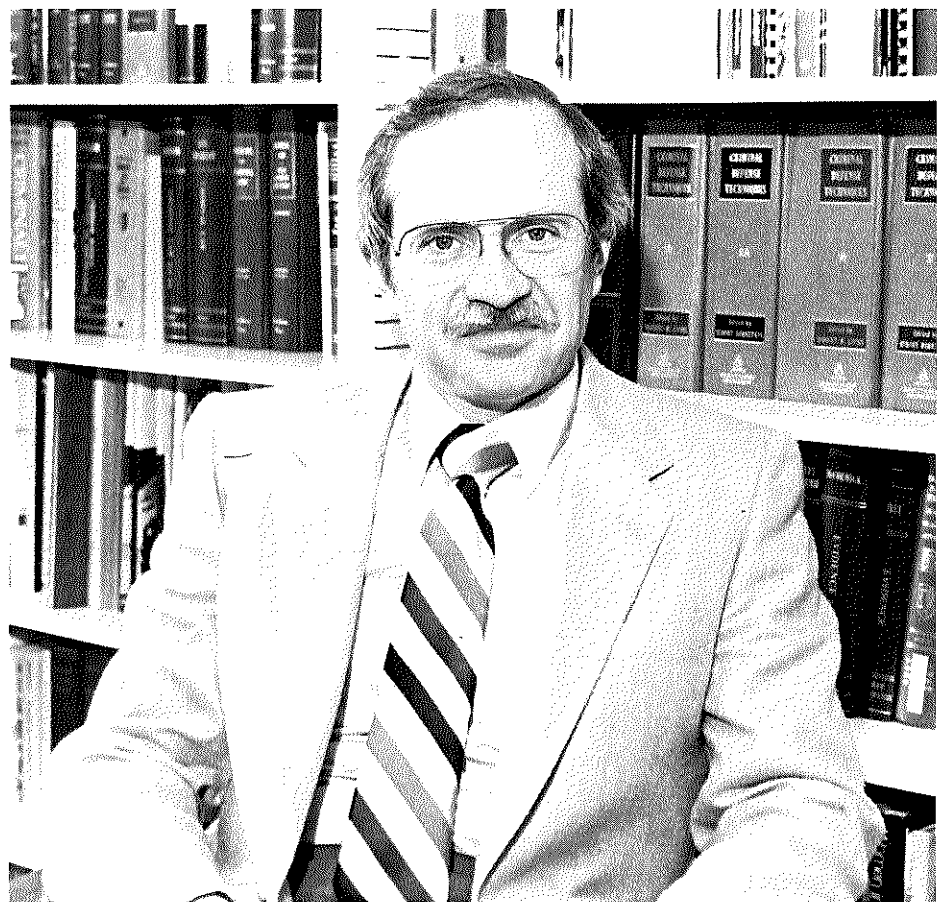
These events were widely reported in the American colonies, and achieved tremendous symbolic importance. Wilkes, Pitt and Lord Camden, who later served as Lord Chancellor, were among the loudest critics of the colonial policies which led to the American Revolution. Their heroism was memorialized in the names of colonial cities and towns. Camden, N.J., Pittsburgh, Pa. and Wilkes-Barre, Pa. are modern reminders of this courageous trio. Their attacks on the use of warrants to seize private papers were remembered when the former colonists fashioned a Bill of Rights.

This history breathes life into the command of the Fourth Amendment that "the right of the people to be secure in the persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated." As the majority reads these words, they add absolutely nothing to the warrant clause. They can only serve to detract from the warrant clause, by allowing warrantless searches which are "reasonable." Yet the history of the Fourth Amendment convincingly demonstrates that the "reasonableness clause" was added because the warrant clause alone was deemed insufficient protection against the excesses of governmental intrusion.

By purporting to "balance" the interest of the individual in the privacy of his thoughts against the interest of the state in effective law enforcement, the majority has stacked the scales. How can the intangible benefits of untrammelled thought, even thought which contemplates the destruction of society, be measured against the concrete cost imposed by the escape of those who have struck a mortal blow against the fabric of our society?

Right now, the "balancing scale" of Fourth Amendment protection remains at sea, with no anchor. There is literally no extreme beyond which governmental intrusion is absolutely forbidden. With the privacy of human thought left to the warrant clause of the Fourth Amendment for protection, we have come full circle in our Fourth Amendment odyssey, back to the position espoused by Lord Chief Justice Jeffreys in the trial of Algernon Sidney over three centuries ago:

"Curse not the King, not in thy thoughts, not in thy Bed-Chamber, the Birds of the air will carry it."



Professor Gerald Uelmen, Recipient of the 1984 Ross Essay Award.

Advocates Continue Efforts

Bill Schnaider, '69, chair of the 1984 Advocates Campaign, announced that the Advocates' goal of \$172,000 had been reached through the contributions of more than 800 alumni and friends of Loyola Law School. The success of the campaign is evident in the increase of donors from 375 in '82-'83 to the more than 800 during the past year.

The 1985 Advocates Campaign will be chaired by Brian Wardlaw, '74, with Angela Hawekotte, '79, acting as vice-chair. Because of the great success of the special 1980's graduates section, Ame Vaughan, '82, will continue as chair of this group of alumni. Under her leadership, the donor base increased from 35 donors in 1982-83 to more than 200 in the 1984 campaign with an average contribution of \$30.

In addition to the general Advocates Campaign, alumni from the decade of the 60's will participate in a special project to renovate the Moot Court at Loyola Law School. This particular fund-raising effort, chaired by David Chodos, '66, will seek pledges of \$100 to \$1000 per year for five years for a total of \$250,000. Donors from the decade of the 60's will receive recognition both as contributors to the Advocates Campaign as well as donors to the special Moot Court Project. The names of the alumni donors to this project will be inscribed on a commemorative plaque in the new Moot Court Room.

Assisting David Chodos in coordinating the 60's Moot Court project will be class chairs. So far, the class chairs are Martin L. Burke, '61, Peter Menjou, '64, John Harris, '65, Dennis Burke, '67, and Bill Schnaider, '69.

Alumni from the 60's and 80's wishing to volunteer for the special projects committees, please contact Mark O. Weiner at the Development Office (736-1044). Other alumni wishing to become involved in the Advocates Campaign should contact Michael Moodie, S.J. (736-1043).

From the Dean

(continued from page 2)

Yamamoto in that office, but also face the crucial task of developing new strategies to encourage a broader range of qualified individuals to consider legal education at Loyola. With the great expansion of law school applications, nationally, a thing of the past, it is a real challenge to maintain the quality of our student body. Based on her record of achievement and professional growth since she joined the law school staff in 1976, "Cece" should meet the challenge.

Susan Shepard in less than two years at the law school has professionalized our personnel offices establishing coherent yet service-oriented policies and, with the able assistance of Sharon Chavez, maintaining the high level of individual service.

As director for Special Projects, Susan will also serve as our principle administrative trouble-shooter. Her initial responsibilities include the development of a research grants program to supplement our own faculty development efforts. Most importantly, she has the responsibility to develop and effectuate an administrative computer program which, in coordination with LMU's computer capability, will allow us to meet all of our student service, alumni and faculty support functions in an efficient and expeditious manner.

In addition to her considerable experience in organization and personnel development, Susan is a highly accomplished classical singer who has graced the stages of many of the world's foremost opera companies including Berlin, Zurich and Covent Gardens. She continues to tour during vacation periods and also performs liturgical music at several major Los Angeles religious institutions. Susan has done her best to bring out the sometimes elusive musical talents of the faculty, staff and students.

Professor Allen Ides's new position as Associate Dean was announced in the last issue of the *Loyola Lawyer* so I will not repeat his many qualifications here. Suffice it to say that Allan has already demonstrated the ability to combine an understanding and encouragement of teaching, scholarship and service that is critical to the Associate Dean's position as primary academic officer of the law school and that has distinguished such predecessors as Professors Chris May, Gerry Uelmen and, most recently, Dan Stewart.

Finally, it is important to mention the major institutional changes which have taken place at Loyola Marymount University. You all know that Fr. Merrifield has relinquished the presidency of LMU to become Chancellor. Fr. James Loughran, S.J. is the new president. Fr. Loughran's views are expressed in this issue of the *Lawyer*. Fr. Charles Casassa, former president and Chancellor who played a critical role in the modern development of Loyola Law School, will continue to serve the

Placement Center

Career Planning Assistance

The 1984-85 academic year continues the commitment of the Law School and the Career Planning and Placement Center to provide career counseling opportunities for all students and alumni. The two counseling professionals, Bill McGeary and Carol Ross-Burnett, have been promoted to Acting Director and Associate Director respectively and bring to the students the knowledge and experience gained from their varied academic and business contacts.

The Career Planning and Placement staff considers effective career planning an integral part of the law school experience. The student or alumnus/a must be viewed as a unique, multifaceted individual who may need assistance in goal setting, self/market assessment, and the development of an efficient job-search strategy. In addition, the staff maintains communications with the legal employment community in an attempt to generate specific employment opportunities for Loyola students and alumni.

The state of legal employment has produced some anxiety over the past few years. The question has frequently been asked, "Is the legal market flooded?"

An article in the July 2nd edition of the *National Law Journal* indicates that over the past decade there has been a fifty per cent increase in the number of firms, the number of lawyers and in gross law revenues. The June 14th edition of the *Los Angeles Daily Journal* stated that California law firms have the highest average gross receipts per lawyer in the country. Over the past five years, ninety-two to ninety-five per cent of Loyola graduates who passed the bar have found employment within three months following the bar exam results. The reality is that the legal employment market must be approached with a systematic, well-planned strategy with various target options considered.

A second question asked concerns the future job market for lawyers. According to the National Association of Law Placement, there are approximately 35,000 legal positions

opening annually due to attrition alone. This matches up favorably with the annual number of law school graduates. In addition, applications to law schools are lower than in past years and this trend is expected to continue. As we move steadily into the "information era" with its more complex law structure, social planners foresee an increasing demand for sources of legal advice and representation. In an article in the *Student Lawyer*, L. Wayne Greenberg, past president of the National Association of Law Placement, predicted growth in the following legal specialty areas: tax, estate and probate, bankruptcy, securities, aviation tort, personal injury, products liability, family, environment, employee benefits, workers compensation, health care, and communications.

The National Association of Law Placement Convention in Minneapolis focused on problems with the current legal recruitment process and its traditional emphasis on the candidate's law school and academic standing. The Career Planning and Placement Center staff is involved in seeking alternative methods which can assess potential performance and provide an additional facet of marketability.

Other developments on the Career Planning and Placement front include: Loyola's participation in the newly formed Southern California Law Placement Consortium with other area law schools for purposes of information sharing and program co-production and a possible joint Loyola/UCLA public interest forum in the spring of 1985 with members of both faculties and public interest organizations participating.

The Career Planning and Placement Center staff is committed to providing increased services to alumni. Present services include the monthly Attorney Job Bulletin mailed by request, extended evening office hours, job listing books available at the library Reserve Desk, and professional counselors to assist in career redirection efforts. An alumni resume referral service is anticipated for 1984-85.

Law School Receives Pickford Foundation Scholarship

Mr. Edward G. Stotsenberg, president of the Mary Pickford Foundation, presented Loyola Law School with an endowment of \$50,000 to establish the Mary Pickford Foundation Endowment for Scholarships. The sum given by the foundation represents a capital investment, the interest from which will provide scholarships for Loyola Law School students.

Mary Pickford, famous for many starring roles, and her husband, Buddy Rogers, who starred with Mary Pickford in the film "My Best Girl," worked for many years on behalf of a number of civic and charitable efforts. Mary Pickford was active in the war bond efforts and worked tirelessly for the Red Cross and March of Dimes in the campaigns against polio. Buddy Rogers continues his own efforts on behalf of various disabled veterans associations. The Mary Pickford Foundation was established after the death of Mary Pickford from bequests from her estate.

The endowment from the Mary Pickford Foundation will enable the Law School to give additional financial assistance to its students. The recipients of the scholarships made available through the endowment will be selected on the basis of financial need as well as scholastic achievement.

Senior Citizens

(continued from page 2)

the heart and I will continue to do this work because there are still people here who need the help of their fellow man."

The California League of Senior Citizens is an organization founded in 1942 to help meet the special needs of the aged, and especially of those who lack adequate financial resources. The League sponsored the first low cost housing for senior citizens in the United States and continues in its valuable work through its sponsorship of the Senior Citizen's Villages in Fresno. The League also serves the senior citizen community by providing assistance with Social Security, medical care, legal advice, and other social services. David Smith has been actively involved with the League since shortly after its founding and the honors given him reflect the Los Angeles community's thanks and appreciation for the dedication and service he has shown throughout the years.

University as Vice Chancellor. Additionally, LMU has a new chairman for its Board of Trustees, Thomas Grojean. Mr. Grojean promises to continue the energetic leadership provided by his predecessor, Dick Archer.

What is most important for us is that the new president's prior work at Fordham University with its fine law school bodes well for the continuation of the outstanding cooperation and beneficial relations we have enjoyed with Loyola Marymount. Although he has not been with us long, it is already clear that Fr. Loughran is a man of great personal charm and warmth with a deep appreciation for both the intellectual and spiritual values of Jesuit-related education.

Fr. Merrifield in his new role as Chancellor will maintain an office at the law school and will be an invaluable asset in our continued development and fund raising efforts. At the same time, we hope to enjoy the benefits of Fr. Casassa's wisdom, guidance and unrivaled knowledge of the community for years to come.

Of course, there are many others at the administrative, technical and service levels at the law school and at LMU whose efforts are critical to our continued success. I hope to acquaint you with many of them in future issues of the *Lawyer*. As always, I welcome the comments, criticisms and suggestions of alumni and friends of the law school concerning our administration and ways in which we may continue to better serve the community.

Arthur N. Frakt
Dean

If you have news, contact your Class Correspondent or write Michael Moodie, S.J. Alumni Relations Department, Loyola Law School, 1441 West Olympic Boulevard, Los Angeles, California 90015.

1930

HAROLD S. SNOW has been a volunteer at Braille Institute for the blind in Los Angeles, transporting the blind from Glendale and environs to Braille Institute and teaching classes and reading to the blind.

1946

HON. BURCH DONAHUE has retired from the Superior Court. Testimonial events to honor him were held in Long Beach.

1953

JUSTIN M. McCARTHY has worked in the field of Eminent Domain and in civil trials generally since 1959. His firm, Redwine and Sherrill of Riverside, specializes in the entire gamut of real property litigation from cases involving the propriety of real estate syndications to complicated District and Inverse Condemnation cases. As an expert in condemnation, **McCARTHY** has tried at least one hundred contested condemnation cases.

1954

YALE D. COGGAN is now in private practice in Santa Barbara after retiring from a juvenile court reference position.

WILLIAM E. COOMBS, a sole practitioner of Rialto, is a member of the California State Advisory Commission on Economic Development. He was city attorney of Rialto from 1978-81. Pomona attorney **VICTOR G. TESSIER** has been installed as president of the San Gabriel Valley Lawyer Referral Service. **TESSIER** will head the 12 member board for the coming year. As board president, he will direct the organization's policy-making activities both operationally and in screening practicing attorneys hopeful of being admitted to the service's panel of lawyers. A founding board member of the San Gabriel Valley Lawyer Referral Service, he has been in practice in Pomona since 1955 devoting primarily to real estate and financial law. He is the past president of Pomona Legal Aid, San Gabriel Valley Legal Aid and Pasadena Legal Aid. **TESSIER** was instrumental in opening the Pomona Legal Aid offices. The San Gabriel Valley Lawyer Referral Service is a non-profit public service organization certified by the State Bar of California to provide free lawyer referrals to the public.

1962

HENRY LEWIN and law-partner-wife Ann recently moved their home to the Palos Verdes Peninsula area and relocated their offices in Torrance. They specialize in state administrative agency law and licensing matters before the State Boards.

ROBERT W. RIDLEY was recently elected to the position of Advisory Director of the International Foundation of Employee Benefit Plans for the years 1984 through 1986. He also serves on the Attorneys' Committee of the organization.

1964

MICHAEL T. LESAGE, city attorney of Paso Robles and Morro Bay, is 1984 Democratic Congressional candidate of the 20th District.

1967

MYLES M. MATTEASON has been elected to serve as treasurer of the Board of Directors for the San Fernando Valley Child Guidance Clinic.

1969

KENNETH LEE CHOTINER, serving his second term as supervising judge of the Van Nuys-Encino branch of the Los Angeles Municipal Court, has been selected for inclusion in the forthcoming edition of *Who's Who in the World*.

Judge CHOTINER has recently published three syllabi for judicial and media conferences: "Courtroom Control," "Anti-Nuclear Movement Glossary" (California Center for Judicial Education and Research), and "Ethical Considerations of Court Coverage." "Ethical Considerations of Court Coverage" was used for the panel he chaired at the 1984 Media Workshop on California Courts held at the University of California, Berkeley, and sponsored by the California Judges Association.

1970

CYNTHIA MADURO RYAN has been appointed to the Board of Directors of Los Angeles Center Theatre.

JAMES C. SIMS is associated with Kelly & Cogan in Santa Monica. His practice is limited to estate planning and personal injury litigation.

1971

HON. RICHARD A. ADLER, Los Angeles Municipal Court judge, has been elected to the Los Angeles Superior Court office #30.

1972

CRAIG EDGEUMBE has recently completed negotiations with a New York law firm, Dewey & Ballantine, for a 48 million dollar construction loan with Chase Manhattan Bank for a regional shopping center in Corte Madera, California. **H.G. ROBERT FONG**, of Ku, Wong, Yee & Fong, has been president of the Southern Califor-

nia Chinese Lawyers' Association and serves on the Judicial Evaluation Committee of Los Angeles County Bar Association.

THOMAS E. GNIATKOWSKI has dissolved the partnership of Adler & Gniatkowski in San Diego and relocated his practice to La Costa, CA.

STEVEN K. HAUSER, after seven years with the Los Angeles Public Defender's Office, is now in private practice in Santa Monica, specializing in criminal law.

ERIC LAWTON is a member of the L.A.O.O.C. Citizen's Advisory Commission and the Cultural and Fine Arts Advisory Commission which is involved in the Olympic Arts Festival. In addition to a busy civil litigation practice, he is also a professional fine art photographer and has recently been published in the *New York Time Magazine* and *Fortune* as well as a special photography assignment from the White House in September 1983.

LAWTON has a photography exhibition in June at the Nu-Age gallery in Beverly Hills.

MICHAEL C. MITCHELL, of MacFarlane, Lambert & Mitchell, was again appointed as pro bono legal counsel for the Lions Eye Foundation of Southern California, Inc. for 1984. In January, he gave a seminar on estate planning for the Southern California Chapter of the Arthritis Foundation and was recently appointed to the Chapter's Planned Giving Committee.

DAVID ROTH has become counsel to the firm of Kehr, DeMeter, Factor & Herman in Los Angeles.

BRENDA H. RUTTENBERG, of Security Pacific National Bank, was a panelist on the Practicing Law Institute Program, "Bankruptcy Practice for Bank Counsel 1983".

KENNETH A. SATIN is hosting "The Law Journal", a local one-half hour radio show which is aired each week on 88.9 FM. He has been a master instructor for the California Association of Realtors for six years and an instructor in law for Coast Community College District — Orange Coast College. His firm, Kenneth A. Satin & Associates in Newport Beach, emphasizes personal injury and medical malpractice.

TIMOTHY L. WALKER a partner of Shield & Smith since 1976, has been elected second vice president of the Association of Southern California Defense Counsel for 1984 and president-elect for 1986. He is a member of the International Association of Insurance Counsel, a diplomat of American Board of Trial Advocates, and an arbitrator of the Los Angeles County Superior Court since 1975. He has been also active as the commissioner of the Los Angeles Attorneys touch Football League.

At the June 28 installation dinner in the Hyatt Regency Hotel, **PATRICIA PHILLIPS**, '67, took office as the first woman president of the Los Angeles County Bar Association, the largest county bar in the United States. In her address at the dinner, **PHILLIPS** thanked the association members for their confidence in her and expressed her hope in the continued activity and growth of the Los Angeles County Bar Association. Los Angeles Mayor Tom Bradley congratulated **Phillips** on her new office and stated to the assembled guests that **Phillips'** term would bring a "new dimension to the association's history" as a sign of the increased participation of women and minorities in the legal profession.

1973

CHARLES H. CLARK, JR., of Clark and Clark, has been elected trustee of Inglewood Bar Association. He shares the partnership of his firm with his wife, **YOLANDA Y. CLARK '82**.

San Diego Attorney **STEVEN E. FELDMAN** has been honored for his representation of accused murderer Robert Corenevsky, whose trial is pending in Imperial County. **FELDMAN** received the E. Stanley Conant award at the annual Defender's Dinner in May. The award is named after the former executive director of the Defenders' Program of San Diego, Inc. Conant, who died in 1980, was one of the founders of the program established to provide legal representation for indigent criminal defendants in San Diego County. **FELDMAN** is the seventh attorney to represent Corenevsky, who has been jailed in El Centro for almost three years. After **Feldman** was assigned to the case last summer, he conducted six weeks of public hearings in Superior Court in El Centro in which he subpoenaed various county officials to explain their actions in the case. The hearings were instrumental in having the state Supreme Court agree to hear the case before trial. The high court justices heard oral arguments last month.

ANTHONY B. LETTUNICH is now municipal judge of Steamboat Springs, Colorado.

JOHN F. SCHILLING has joined The Garrett Corporation as a member of its legal staff.

SCHILLING will specialize in product liability and litigation support, and will also serve as counsel to Garrett's AirResearch Aviation Company at Los Angeles International Airport. Formerly with the law firm of Patterson, Ritner and Lockwood, he has many years' experience handling product liability defense. **SCHILLING** is a member of the Los Angeles County Bar Association subsections on product liability, aviation and computer law; the Society of Air Safety Investigators; and the American Association of Automotive Medicine.

1974

RANDALL E. GREER Coldwell Banker Commercial Group senior counsel, has been named an assistant vice president. He will be responsible for handling complex litigation and providing legal advice to sales personnel on a wide variety of real estate-related matters. **GREER** joined Coldwell Banker in 1981 following seven years as an attorney with the Los Angeles law firm of Simon & Sheridan. **GREER** is a member of the Federal courts and Practice Committee of the Los Angeles County Bar Association; the litigation section of the American Bar Association; and the State Bar of California.

1975

LESLIE B. ABELL, of Shagin, Myman, Abell & Fineman in Brentwood, has been elected to the Board of Trustees of the Exceptional Children's Foundation in Los Angeles.

JAMES ALLE represents families with children (adults and minors) in religious cults. He has practiced in many states across the country in this capacity and recently addressed the national convention of Citizens Freedom Foundation (a non-profit national anti-cult organization) in Los Angeles. He spoke at the organization's regional conference in Pittsburgh on the subject of a thirteen amendment analysis of the cult victim's removal from the cult.

JUDITH ILENE BLOOM senior counsel for the Bank of America National Trust and Savings Association, authored an article entitled "The Right to a Non-Jury Trial for Trust and Probate Issues" in the June issue of the *Los Angeles Lawyer*.

JEFFREY R. STEIN has become a certified specialist in criminal law and practices in San Luis Obispo.

1976

DANN W. BOYD has recently opened his own private practice in West Los Angeles, emphasizing civil and business litigation.

MARK E. LEHMAN is now senior associate of Shapiro, Laufer, Krane, Jacobson & Posell.

JAMES H. MYERS is general counsel for Mel Cooper and Associates. The company provides auxiliary services — attorney service, process serving and records copying — to attorneys.

DAVID J. PASTERNAK was installed as president of the Los Angeles County Bar Association Barristers on June 28, 1984. The Barristers is composed of the nearly 9,000 Los Angeles lawyers under the age of 36 or with less than five years of practice.

DONALD PECKNER has formed a partnership with David Seror and relocated his office to Beverly Hills. He will continue to emphasize the areas of litigation, family law, and small business representation.

LESLIE J. SHAW, of Feldman, Shaw & DeVore in So. Lake Tahoe, has become a certified specialist in family law. **LEWIS S. FELDMAN '76** is also in partnership with the firm.

ANDREW J. STITES has been elected to the position of assistant vice president of USAir, Inc. He is employed at the headquarters in Washington, D.C.

1977

STEVEN C. BARDWIL joined 20th Century Fox Film Corporation last December as Distribution and Marketing Counsel.

KENNETH C. BLICKENSTAFF serves on the Board of the California Trial Lawyers Association. **BLICKENSTAFF** and **DAVID I. LIPSKY '71** started their firm January 1, 1984, specializing in insurance, litigation (primarily bad faith) and personal injury.

MICHAEL J. COSGROVE, of Palm Desert, has been chairman of the Lawyer Referral Service of the Desert Bar, a trustee of the Desert Bar Association and president of Rancho Mirage Rotary Club. He is in partnership with his brother, William N. Cosgrove.

SAMUEL H. GROENBAUM, of Cox, Castle & Nicholson, has become adjunct professor with Loyola. He is a member of the Executive Committee of the Business and Corporation Law Section of the Los Angeles County Bar Association and contributing editor of the *Corporation Law Review*.

PHILIP KARPEL has become a certified specialist in taxation law. He is a partner in the law firm of Olincy & Olincy.

BARBARA KHEEL has become a partner of the firm, Pacht, Ross, Warne, Bernhard & Sears, Inc. She serves on the Executive Committee of the Corporations & Commercial Law Section of the Beverly Hills Bar Association and is vice chair of the Attorneys' Division of the Los Angeles United Jewish Fund for 1984.

LAWRENCE E. LEONE recently wrote an article on "Foreign Judgements" with Commissioner MacBeth for the Los Angeles County Bar Symposium 1984. He will address the CPA society in September. **LEONE** is a member of the Beverly Hills Bar Association's Family Law Executive Committee and past Program Chairman. He also contributed an article on "Evidentiary Considerations in Family Law Trials" to the 1983 Beverly Hills Bar Family Law Symposium.

JOEL MARTIN LEVY began a private practice in 1983, emphasizing administrative law and appellate practice. During the prior three years, he was a staff attorney with the Santa Monica Rent Control Board.

HON. PATRICIA BAMATTRE-MANOUKIAN has been appointed by Gov. Deukmejian to the West Orange County Municipal Court.

LEANNE E. MAILLIAN recently formed a partnership with S. Myron Klarfeld under the firm name of Klarfeld & Maillian in Beverly Hills. **MAILLIAN** is senior vice chair of the L.A. County Bar Client Relations Committee and a member of the Executive Committee of the California State Bar Law Office Management Section.

In Memoriam

FRED V. EDMONDS, Jr. '45
JOHN F. BUSKIRK '74

JAMES R. MORGAN has had a general practice in Walnut Creek, CA, since graduation. In 1982, he prevailed *Kwok v. Bergren* 130 Cal. App. 3d 596 reversing the lower court in a landlord tenant matter and maintained an active trial practice throughout the Bay area. He has frequently lectured and taught seminars on the pros and cons of incorporation in behalf of The Mayfield Company, a large financial conglomerate in Northern California. He is a member of Mount Diablo Bar Association and Christian Legal Society and was selected by "Outstanding Young Men of America" in 1981.

HON. GERALDINE MUND has been elected president of the Temple of Israel of Hollywood at the recent 59th annual Congregational meeting.

MUND is the first female president of the Temple and the first woman in the Bankruptcy Court of the U.S. Central District.

TIMOTHY M. MURPHY, L.A. County public defender, is presently handling felony criminal cases in Central District.

BRUCE A. NAHIN, specializing in complex entertainment litigation, is in partnership with his father **MELVILLE H. NAHIN '53**. **BRUCE** is married to Hollywood Makeup Artist Debrah Ely.

JOAN PATSY OSTROY has formed the partnership of Ostroy & Truby with Phyllis Alden Truby. Her practice emphasizes family law, business and real estate matters.

WILLIAM L. PARKER is professor of Philosophy at Glendale Community College where he teaches Business Law. He also teaches Business Law at Pepperdine School of Business and Management. **PARKER** maintains a law office in Pasadena and practices law on a limited basis.

RICHARD O. PARRY was listed in *Who's Who in the Aerospace Industry* 1983. He has been appointed general counsel to the Kubota Tractor Corporation.

ANA ISABEL SEGURA has become a director of the East Los Angeles Office of the Legal Aid Foundation of Los Angeles. Since April, 1982, she has been with the Mexican-American Legal Defense and Educational Fund handling civil rights matters and specializing in Title VII (Employment Discrimination) class actions in Federal Court.

GARY J. SINGER AND MELANIE C. SINGER have a new daughter, Kimberly Michelle, born March 21, 1984. Melanie is on maternity leave from the Orange County District Attorney's office, while Gary continues in his seventh year as an associate with O'Melveny & Myers at their Newport Beach office.

ELLEN SNORTLAND has been pursuing a career as a professional actress for three years.

MICHAEL J. WAHL joined Hanna-Barbera Productions as Director of Business Affairs in 1980 after practicing law for three years following graduation. He was acting Executive in charge of production for the studio in a live-action series entitled "Going Bananas" intended for initial broadcast on NBC in September 1984. Additionally, he has a number of self-created projects in development with various major television studios.

1978

PETER E. LOWE has been promoted to senior vice-president and deputy group administrator of the Financial Group of Security Pacific Corporation and its principle subsidiary, Security Pacific National Bank. **LOWE** is a member of the Financial Executive Institute, the Corporate Financial Council of San Diego, and the State Bar of California.

1979

BARBARA E. ROBERTS has formed a partnership with David L. Chapman — Chapman & Roberts — in Arcadia. Her practice emphasizes criminal, appellate, and general civil litigation.

MITCHELL C. TILNER has been practicing at Gibson, Dunn & Crutcher since graduation. This fall, he will enroll at Columbia University School of Law and pursue an LL.M. degree.

HELENA SUNNY WISE was honored, along with four other Los Angeles Attorneys, by the Child Advocates Office of the Los Angeles Superior Court for her volunteer work on behalf of abused and neglected children placed under the courts jurisdiction.

1980

RUSSEL BERNEY has recently opened his own practice. He has been appointed Executive Director of the American Franchise Association, the trade association for franchises and franchise professionals.

ROBERT J. BRINKMANN has been named general counsel of the National Newspaper Association in Washington, D.C.

JOHN BUTLER has been named morning news anchor for ABC Radio News in New York.

GREGG GANN is now associated with Westside Commercial Brokerage Company as managing partner.

TERRENCE PATRICK GRACE has formed a partnership with Anna Noriega de Martinez after two years of being a sole practitioner. They practice in the areas of bankruptcy, immigration and family law.

LESLEY L. HARDY has become associated with McFarlane, Lambert & Mitchell.

JOHN HOLLINRAKE opened a private practice in September 1981 in Sonora, CA, with two other attorneys and obtained Public Defender contract for Tuolumne Co. He serves on the Juvenile Just-

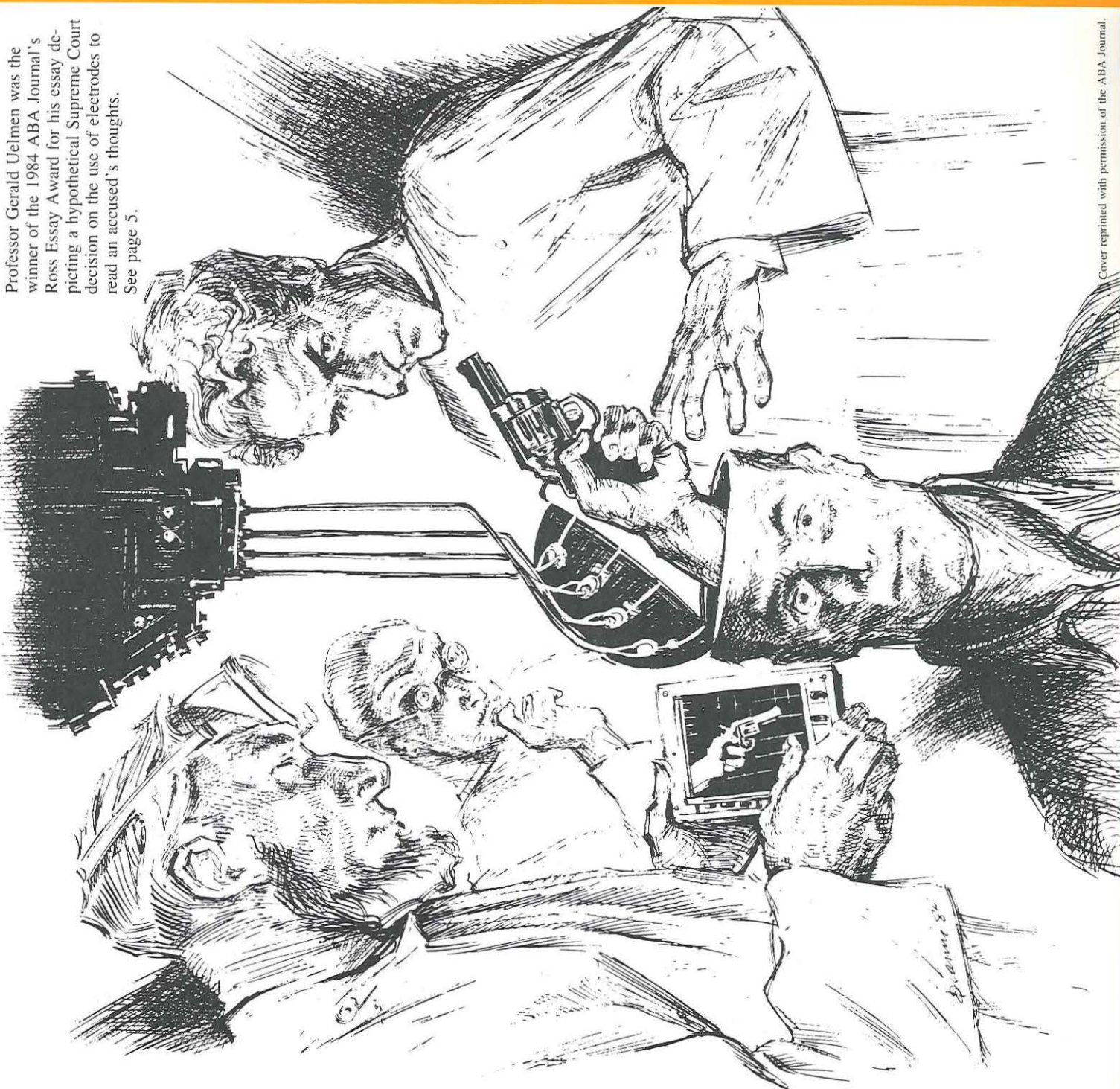


Rev. James N. Loughran, S.J.,
takes office as new
LMU president.
See story, page 1.

Loyola Lawyer

CAN THEY SEARCH AND SEIZE YOUR THOUGHTS?

Professor Gerald Uelmen was the winner of the 1984 ABA Journal's Ross Essay Award for his essay depicting a hypothetical Supreme Court decision on the use of electrodes to read an accused's thoughts. See page 5.



Cover reprinted with permission of the ABA Journal.

ice Delinquency Prevention Planning Commission and as corporate counsel on "Save Mono Lake Committee".

JEFFREY L. MALEK represented a former carpenter in Torrance and successfully won the case with the jury's 12-0 verdict for \$2.1 million. He is currently active in civil rights and securities litigation and plans to become a member of the New York Bar in the near future.

BRUCE E. PHERSON, JR. is general counsel for Boething Treeland Farms, Inc.

SARA RUTENBERG has become assistant general counsel of MCA Television, Ltd.

PAULA TESKE participates in the Los Angeles County Bar Association's Barristers' Trial Attorney Program and plans to take a temporary leave from her duties at Sidley and Austin to join a local prosecuting agency for one month this summer.

ELAINE A. ZAMORA serves as general counsel to the Mexican-American Political Association, a state-wide organization which addresses political issues affecting the Mexican-American community. She was elected at a state-wide election for a two-year term and is the first woman to hold the position.

1981

MATHIS ABRAMS, M.D. served as secretary for the Southern California Society for Adolescent Psychiatry for '83-'84. He is active in Akiba Academy by serving on the Board of Directors and the Education Committee. He was also voluntary clinical chief for the Family and Child Psychiatry Department of Cedars-Sinai Medical Center in 1981.

GERRIE (MORGAN) BUNN is working as a research attorney for Justice James H. Hastings of the 2nd District Court of Appeal.

KEITH T. DEAN is assistant district attorney for the Dallas County.

ROBERT H. KOHN works as associate counsel for Ashton-Tate, a computer software publishing company and is contributing editor of the *Entertainment Law Reporter*.

TOM KUNKEL, senior financial analyst in the Industry Analysis Department of Atlantic Richfield, has earned an MBA degree in Finance from USC Graduate School of Business.

CHRISTOPHER J. LEANDERS travelled to Japan to negotiate and secure an international trademark license for a U.S. corporation. **LEANDERS** is currently a partner in the Newport Beach law firm of Santucci, Potter, and Leanders.

JOEL G. PLAISANCE, management analyst of the Industrial Gas Division of Liquid Air corporation, received an MBA degree from UCLA in 1983.

C. WESLEY RICHARDS has been engaged in general private law practice for two years and is a public defender for two cities in Skagit County, WA.

DAVID A. ROSEN successfully briefed and argued the case of *Traub vs. Board of Retirement* before the California Supreme Court in October 1983.

1982

KENNETH R. BERMAN is associated with the law offices of Oscar Rothenberg which specialize in workers' compensation and personal injury litigation.

CORY BIRNBERG has earned an LL.M. in maritime law at Tulane University, New Orleans, LA.

HOWARD M. DAVINE received a Master in Business Taxation from USC in 1983. He is practicing tax and corporate law at McCashin & Portugal. His wife and he have been blessed with their first child born 1/30/84 — Shira Lindsay.

BLANCHE STERN DOUGLAS has been working for the District Attorney's office since June, 1983. She started downtown, moved to East Los Angeles, then Alhambra and is now assigned to Beverly Hills. She enjoys gaining invaluable trial and other litigation experience.

1983

MARGARET MILLER BERNAL is working with her father at Miller & Bernal and will take a maternity leave in October for a few weeks.

DANA LADD BERNIS is associated with Munns, Kofford, Hoffman, Hunt & Throckmorton; practice includes business law and litigation, real estate and construction.

WILLIAM F. CHILDS has recently become deputy city attorney, Los Angeles City Attorney's office. He was formerly a transportation engineer at the City of Los Angeles Department of Transportation.

JEFFREY A. DRACUP is president of Zebra Computer Products, a computer sales and consulting company.

ALAN W. FAIGIN has been promoted to assistant vice president, assistant general counsel, for Fremont Indemnity Company. **FAIGIN** joined Fremont three and a half years ago.

BARBARA C. FOX has been newly associated with Dreifus & Purcell practicing business law and litigation.

ELLEN TARATOOT FRIEDMANN is associated with Douglas Dalton, who specializes in litigation, both civil and criminal.

TERJE GUDMESTAD is clerking for Judge Levi Ray Haire of the Arizona Court of Appeals.

KAREN HENDERSON is working for Judge John R. Brown of the U.S. Court of Appeals for the Fifth Circuit and will be working as a second year associate at Steptoe & Johnson as of 10/1/84.

STEVE JACQUES, of Greene, O'Reilly, Agnew and Broillet, plans to take the New York and Connecticut Bar exams this year.

MARK LASSITER is associated with the law firm of Spierer & Woodward in Torrance.

JANICE LIPELES has been blessed with the birth of her son, Jeffrey David Lipeles.

ERIC K. MARCUS has been promoted to executive vice president & general counsel at Financial Decision Systems, Inc., a nationwide computer software and timesharing house serving Fortune 500 companies and major financial institutions. He is associated with Public Counsel and is actively handling a legal aid case at present. He is also teaching a course in computer law at a local university.

MALCOLM S. McNEIL is currently associated with the law offices of Brian Zimmerman, as well as involved as campaign manager for Lionel Allen, a Republican candidate for Congress in the 27th congressional district of California.

ALEXANDRA K. MELS has been selected for inclusion in the 1983 edition of *Outstanding Young Women of America*. The Outstanding Young Women of America program is designed to honor and encourage exceptional young women between the ages of 21 and 36 who have distinguished themselves in their homes, their professions and their communities. Accomplishments such as these are the result of dedication, service and leadership — qualities which deserve to be recognized and remembered.

JAMES D. REDWOOD passed the July 1983 New York Bar. He is associated with Pillsbury, Madison & Sutro in San Francisco and welcomes Loyola students, faculty and alumni coming to the Bay area to contact him.

ALAN D. WALLACE has become associated with Pachter, Gold & Schaffer.

Loyola Lawyer

Loyola Law School

1441 West Olympic Blvd.

P.O. Box 15019

Los Angeles, California 90015-3980

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